IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CRIMINAL JURISDICTION

CRIMINAL WRIT PETITION NO.958 OF 2007

Pankaj Kumar S. Tiwari. ..Petitioner.
Vs.
State of Maharashtra and anr. ..Respondents.

Mr. Subhash Jha i/by Law Global for the Petitioner.
Mr.P.A. Pol, APP. for the State.

CORAM: R.S. MOHITE, J.
DATE : 22/11/2007

P.C.

1. This writ petition impugns an order dated 5.5.2007 passed by the Additional Chief Metropolitan Magistrate allowing defreezing of the four bank accounts which were having balance of Rs.28,85,442.94 on the date of the seizure. The amounts have been permitted to defrozen on furnishing bank guarantee of Rs.14,43,000/-. It appears that the petitioner has availed all the benefits of the said order by furnishing bank guarantee. The Advocate for the petitioner when asked is not in a position to state whether the amount lying in the bank accounts have been withdrawn. Since bank guarantee has been already furnished and the benefits of the said order has been taken, this is not a fit case to interfere in the writ jurisdiction. Hence, petition rejected.

(R. S. MOHITE, J.)